

TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY
MINUTES

DATE: September 1, 2004

TIME: 9:00 a.m., CST

LOCATION: Tennessee Room
Ground Floor, Cordell Hull Building
Nashville, TN

BOARD MEMBERS

PRESENT: Debra Davenport, M.A., Sr. P.E., Vice Chair
Denise Davis, Ph.D.
Carolyn West-Willette, Psy.D.
Carl Gilleylen, Psy.D.
Robert Kores, Ph.D.
Janice Martin, Ph.D.

BOARD MEMBERS

ABSENT: William Vaughan, III, Ph.D., Senior P.E.
Michael Stagg, Est.

STAFF

PRESENT: Melody Spitznas, Board Administrator
Nicole Armstrong, Advisory Attorney
Rick Agee, Unit Director
Jerry Kosten, Rules Coordinator
Robbie Bell, Director
Barbara Maxwell, Administrative Director

Ms. Davenport, vice chair called the meeting to order at 9:15 a.m. A sufficient number of board members were present to constitute a quorum. Ms. Davenport introduced and welcomed the board's new member, Janice Martin, Ph.D.

Ms. Davenport said she was not at the last meeting and welcomed Dr. Kores who joined the board at the June 9, 2004 meeting.

Review Minutes

Dr. Gilleylen made a motion, seconded by Dr. Kores, to approve the minutes upon correction of an error on page six. The motion carried.

Conflict of Interest Policy

Ms. Armstrong asked Dr. Martin to read the conflict of interest statement carefully and to sign and give it to Ms. Spitznas at the end of the meeting.

Ms. Armstrong reminded the members to disclose any interest they may have in matters coming before the board to determine if it would prohibit the member from making a non-biased decision.

Office of General Counsel Report's

Ms. Armstrong stated Rule 1180-1-.10 regarding orders of compliance/modification will become effective October 23, 2004.

Ms. Armstrong stated Rules 1180-1-.04, 1180-2, -3, -4-.03 regarding temporary authorization to practice and the submission of a copy of an applicant's birth certificate with the application is currently under review by the Attorney General.

Ms. Armstrong stated a roll call vote is scheduled at today's meeting for Rule 1180-1-.06 and .08 regarding patient records and continuing education.

Ms. Armstrong said there are thirty-three (33) cases in OGC involving twenty (20) licensees. Ms. Armstrong said twenty-seven (27) of the cases are complaints against Psychologists and six (6) of the cases are complaints against Psychological Examiners.

Report from Jerry Kosten, Rules Coordinator

Mr. Kosten said a rulemaking hearing was conducted August 26, 2004 on Rule 1180-1-.08 which states that nationally accredited colleges and state universities with health-related professional training program can offer Type 2 continuing education and a new Rule 1180-1-.06 regarding patient records. Mr. Kosten stated he received a letter from the Tennessee Association of Mental Health Organization regarding Rule 1180-1-.06(4)(d)2 and asked the board members to read the letter from Charles Blackburn, CAE, Executive Director, pertaining to practitioners notifying all patients seen within the preceding thirty six months when leaving a group practice.

Upon review, Dr. Davis made a motion, seconded by Dr. Kores, to change the number of months in which a patient is seen by a psychologist from 36 months to 18 months. The board also decided to amend the rule to add the phrase "including but not limited to publication in a newspaper of general publication in all geographic areas of your practice." The motion carried.

Dr. Davis made a motion, seconded by Dr. Gilleylen, to adopt the rule as amended. A roll call vote was conducted and all members voted in the affirmative.

Mr. Kosten asked the board to review the amendments to Rules 1180-1-.01, .03, .05, .08, which deletes the oral examination and replaces it with the ethics and jurisprudence examination and Rule 1180-2-.07 regarding free health clinic and volunteer practice requirements.

Mr. Kosten said the board must determine if the jurisprudence and ethics examination will be part of the initial application package or sent to the applicant upon passing the written examination.

Mr. Kosten said even though the legislation regarding the free health clinic and volunteer practice do not require volunteers to pay renewal fees or privilege taxes they must maintain the continuing education requirements.

Mr. Kosten stated that upon approval by the board a rulemaking hearing will be conducted December 10, 2004 on Rule 1180-2-.07.

Upon discussion, Dr. Martin made a motion, seconded by Dr. Gilleylen, to submit the amendments to rulemaking hearing. The motion carried.

Disciplinary Report

Ms. Phelps reviewed the disciplinary report which indicates there are eight practitioners being monitored. Ms. Phelps stated the report does not indicate whether or not the practitioner is in compliance with the order as a new complaint will be filed against those in non-compliance. Ms. Phelps said a history of all practitioners disciplined is attached for the board's review.

Ms. Armstrong stated for those board members who were not present at the last meeting, Dr. Davis was appointed to review disciplinary actions if medical records are required and is the contact for questions regarding disciplinary actions.

Investigative Report

Ms. Phelps reviewed the investigative report stating that ten complaints have been received year to date with fifteen complaints carried over from last year. Ms. Phelps said seven complaints have been closed, two with no action and five referred to OGC.

Task Force

Ms. Davenport asked Mr. Kosten, Dr. Kores, Dr. Davis and Ms. Armstrong to staff the task force to create an ethics/jurisprudence examination to possibly replace the oral examination.

The board asked Ms. Spitznas to visit other state psychology boards via the internet and download their oral examinations if possible.

Administrative Report

Ms. Spitznas said as of August 24, 2004 there are 225 active, 529 retired and 395 failed to renew psychologists along with 657 active, 487 retired and 882 failed to renew psychological examiners and/or senior psychological examiners.

Ms. Spitznas stated between June 4, 2004 and August 24, 2004 the renewal time for psychologists and psychological examiners/senior psychological examiners was 3.8 days with thirty one (31) psychologists and nine (9) psychological examiners/senior psychological examiners renewing on line.

Ms. Spitznas said she has submitted a request for Dr. Kores, Dr. Gilleylen and Ms. Maxwell to attend the ASPPB meeting in Atlanta, Georgia October 20-23, 2004. Dr. Kores asked that his name be removed for the travel to Atlanta as he is unable to attend at that time.

Mr. Agee said Dr. Adler and Dr. Sacs are in the process of reviewing the 2001/2002 continuing education audit for presentation to the board at the November 2004 meeting.

Ms. Armstrong stated the penalty for non-compliance with continuing education is a \$100 fine and making up the missed hours within the next twelve months along with the required hours for the year.

Mr. Agee stated a number of the certified continuing education letters were returned due to address changes. Mr. Agee said this is costly for the board and in non-compliance with the rules which requires licensees to submit changes of address within thirty (30) days after the change. Mr. Agee said Ms. Armstrong is going to review the statutes and rules to determine if the board can fine those licensees who did not submit changes of address.

Ms. Spitznas said Ms. Maxwell has submitted the newsletter to Ms. Bell for review.

Financial Report

Ms. Spitznas reviewed the financial report which indicates the board has eliminated its deficit of \$21,283 and now has assets in the amount of \$77,020.

Ratify Newly Licensed and Reinstated Psychologists and Psychological Examiners

Dr. Davis made a motion, seconded by Dr. Kores, to ratify the following list of newly licensed Psychologists:

Mary Ellen Atkins, Ph.D.
Allison C. Ballew, Ph.D.
Thomas Ward Bishop, Psy.D.
Jessica Dawn Ciavarella, Ph.D.
Janet Sue Foliano, Psy.D.
Priscilla Partridge de Garcia, Ed.D.
Peter Rustin Harris, Ph.D.
Craig M. Hunter, Ph.D.
Amanda Ainsley Lisa King, Ph.D.
Susan Slate Mathews, Ph.D.
Melanie H. Morris, Ph.D.
Daniel C. Sartor, Ph.D.

D. Malcom Spica, Ph.D.
Karina Michelle Stewart, Psy.D.

The motion carried.

Dr. Gilleylen made a motion, seconded by Dr. Kores, to ratify the list of newly licensed Psychological Examiners:

Jennifer Sharon Hinkle, P.E.
Tracy T. Nichols, P.E.

The motion carried.

Ratify Written Examination Results

Dr. Davis made a motion, seconded by Dr. Kores, to ratify the following Psychologists written examination results:

<u>Psychologists/HSP</u>	<u>Score</u>
Marzi Lisa Radpour-Wiley	Pass
Sonia Campos Beck	Fail
Larry Palmer	Pass
Laura Porter	Pass

The motion carried.

Dr. Martin made a motion, seconded by Dr. Davis, to ratify the following Psychological Examiner written examination results:

<u>Psychological Examiner</u>	<u>Score</u>
Sharlet Anderson	Pass
Deborah Colton	Pass
Aaron Kelley	Fail
Christine Browning	Pass
Lisa Oglesby	Pass
Deborah Adams	Fail

The motion carried.

Ratify Oral Examination Results

Dr. Davis made a motion, seconded by Dr. Gilleylen, to ratify the passing oral examinations results, postdoctoral supervised experience and issue licenses to the following Psychologists/HSP:

Sharon G. Horne, Ph.D./HSP
Nancy Badger, Ph.D./HSP
Elizabeth Muller Capecchi, Ph.D./HSP
Jana Pressley, Ph.D./HSP

The motion carried.

Dr. Martin made a motion, seconded by Dr. Kores, to ratify the passing oral examination results for the following Psychologists who are completing their postdoctoral supervised experience:

Daniel J. Sullivan, Ph.D.
Joshua Booher, Ph.D.
Jean Germain, Ph.D.

The motion carried.

Dr. Gilleylen made a motion, seconded by Dr. Davis, to ratify the passing oral examination results and issue a license to the following Psychological Examiner:

Tracy Nichols, P.E.

The motion carried.

Upon review of the oral examination tape, Dr. Kores made a motion, seconded by Dr. Davis, to ratify the oral examination results for the following Psychologist/HSP.

<u>Psychologist/HSP</u>	<u>Score</u>
Edward Kovach, Ph.D.	Fail

The motion carried.

Ratify Abandoned/Closed Applications

Dr. Davis stated that she contacted Carolyn Thompson, Ph.D. and encouraged her to attend the next board meeting to review her oral examination score but she declined.

Dr. Davis made a motion, seconded by Dr. Kores, to ratify the application withdrawal of **Carolyn Thompson, Ph.D.** per her request. The motion carried.

File Review

Upon review, Dr. Davis made a motion, seconded by Dr. Kores, to schedule Psychological Examiners **Darcy Wallace, Mary McSwaney** and **Jennifer Sey** for the written examination and issue temporary licenses to Ms. McSwaney and Ms. Sey. The motion carried.

Upon review, Dr. Martin made a motion, seconded by Dr. Davis, to delay approval of the Senior Psychological Examiner application of **William Sims** until receipt and review by a board member of the appropriate clarification of the required 200 continuing education hours. The motion carried.

Upon review, Dr. Martin made a motion, seconded by Dr. Kores, to approve the Senior Psychological Examiner application of **Margaret Dunavant** and **Cassandra Cheshire**. The motion carried

Upon review, Dr. Martin made a motion, seconded by Dr. Kores, to delay approval of the Senior Psychological Examiner application of **Dorothy Stevens** until receipt and review by a board member of the appropriate remaining 50 hours of the required 200 continuing education hours. The motion carried.

Upon review, Dr. Martin made a motion, seconded by Dr. Kores, to delay approval of the Psychological Examiner application of **Donna Frigant** until receipt and review by a board member of the appropriate documentation of the 2 ¾ quarter hours needed to complete the required 225 direct client services hours. The motion carried.

Upon review, Dr. Martin made a motion, seconded by Dr. Kores, to deny approval of the Senior Psychological Examination application of **Sherry Wray** as she has been supervised by a medical doctor for the last five years instead of a Psychologist/HSP as required by rule. The motion carried.

Upon review, Dr. Davis made a motion, seconded by Dr. Kores, to approve the Senior Psychological Examiner application of **Rebecca Townsend**. Dr. Martin abstained as she knows this applicant. The motion carried.

Upon review, Dr. West-Willette made a motion, seconded by Dr. Gilleylen, to delay the Psychological Examiner application of **Catherine Dhanarajan** until receipt and review by a board member of the appropriate documentation of the 50 quarter hours needed to complete the required 225 direct client services hours. The motion carried.

Upon review, Dr. Kores made a motion, seconded by Dr. Martin, to approve the Senior Psychological Examiner application of **Connie E. Mazza**. The motion carried.

Ratify recommendations made by Dr. Davis of her file review

Dr. Davis made a motion, seconded by Dr. Kores, to ratify the following recommendations for Psychologists:

Douglas Emerson, Ph.D./HSP

Request applicant to submit a photocopy of his MA license or otherwise verify the specific date of issuance and resolve discrepancy with date of EPPP.

Neha Shah, Ph.D./HSP

Schedule for written examination and issue a provisional license.

Ari Holtz, Ph.D./HSP

Schedule for written examination and issue a provisional license.

Dana Wyner, Ph.D./HSP

Schedule for written examination and issue a provisional license.

Kimberlee Berry-Sawyer, Ph.D./HSP

Schedule for oral examination.

Marsha Burdette, Ph.D./HSP

Schedule for written examination and issue a provision license upon receipt of verification of internship.

Jennifer Devan, Ph.D./HSP

Schedule for written examination and issue a provisional license.

Jennifer Dembowski, Ph.D.

Schedule for written examination.

Courtney Dirksen, Ph.D.

Schedule for written examination and issue a provisional license.

Robert Levine, Psy.D./HSP

Schedule for written examination.

Heidi Levitt, Ph.D./HSP

Schedule for oral examination and issue a temporary license/HSP.

Janis Grimes Neece, Ph.D./HSP

Schedule for oral examination.

Lina Robinson, Ph.D./HSP

Schedule for written examination.

David J. McDowell, Ph.D./HSP

Schedule for oral examination.

Jane Russell, Ph.D.

Schedule for written examination.

Jamie Yarbrough, Ph.D./HSP

Upon receipt of licensure endorsement form from internship director schedule for oral examination and issue a provisional license.

The motion carried.

Review Correspondence

The board reviewed a letter from **RHR International** regarding psychologists working in the I/O sector. The board asked Ms. Armstrong to respond to RHR International thanking them for their concerns and pointing out the section of the rules that pertain to this issue.

The board reviewed a letter from **Marzi Radpour-Wiley, Ph.D.** who is requesting an extension of her two year provisional license and information on when she is required to take the oral examination. Ms. Armstrong said pursuant to the rules the provisional license can be extended under certain circumstances and the oral examination must be taken within 12 months of passing the written examination. Ms. Armstrong suggested writing Dr. Radpour-Wiley a letter stating the board is going to grant her a one-year extension of her provisional license and suspend her license to accommodate her maternity leave. Mr. Armstrong said she will inform Dr. Radpour-Wiley to notify the board when she plans to suspend her license and when she wants the suspension released, which will give her twelve months upon release of her suspended provisional license to take the oral examination.

The board reviewed a letter from **Betty Perry** requesting a waiver of her deficient 2000-2002 and 2002-2004 continuing education hours. Upon discussion, Dr. Davis made a motion, seconded by Dr. West-Willette, to deny Ms. Perry's request for a waiver and send her a copy of the policy and rules pertaining to continuing education. The motion carried.

The board reviewed the memorandum from ASPPB regarding proposed revisions to the ASPPB Code of Conduct and noted their appreciation of the ASPPB advising them of the proposed changes.

The board reviewed the ASPPB Notice of 2004 ASPPB Annual Meeting in Atlanta, Georgia.

The board reviewed the memorandum from the Professional Examination Service regarding the improvements and changes in the administration of the EPPP.

Ms. Spitznas reviewed the letter she drafted to place on the internet and mailed to all supervising psychologists regarding the postdoctoral supervised experience.

The board discussed the letter from **Lunsford Sartain, Jr.** regarding the written examination scores being noted in the June minutes. Upon discussion, Dr. Martin made a motion, seconded by Dr. West-Willette, to thank Dr. Sartain for his letter of concern and to change the June minutes to reflect a pass/fail score. The motion carried.

Duplicate Wall Licenses

Ms. Armstrong said the duplicate wall licenses issue is for those licensees who have more than one office. Ms. Armstrong said the rules require all licensees to post their licenses on their office walls but are unable to do so if they have more than one office.

Election of Officers

On behalf of the board, Ms. Davenport, acting chair, stated Dr. Gale will be greatly missed as a board chair and thanked him for his dedicated service as board member, chair and colleague.

Dr. Martin made a motion, seconded by Dr. Kores, to nominate Ms. Davenport as chair. The motion carried.

Dr. Kores made a motion, seconded by Dr. West-Willette, to nominate Dr. Davis for vice chair. The motion carried.

Board Meeting Dates for 2005

The following dates have been scheduled for the 2005 board meetings:

January 12, 13, 14, 2005

April 13, 14, 15, 2005

July 20, 21, 22, 2005

October 19, 20, 21, 2005

With no other board business to conduct, Dr. Martin made a motion, seconded by Davis, to adjourn at 4:05 p.m.

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